

1
2
3
4
5
6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA,)
9 Plaintiff,)
10 v.) 3:12-CR-069-LRH-(WGC)
11 KENNETH HUGHES,)
12 Aka Kenneth Michael Douglas Hughes,)
13 Defendant.)

14 **PRELIMINARY ORDER OF FORFEITURE**

15 This Court finds that on November 18, 2013, defendant KENNETH HUGHES, aka Kenneth
16 Michael Douglas Hughes pled guilty to Count One of a One-Count Criminal Indictment charging him
17 with Possession of a Firearm by a Convicted Felon in violation of Title 18, United States Code,
18 Section 922(g)(1). Indictment, ECF No. 1; Change of Plea, ECF No. 26; Plea Agreement, ECF No. 27.

19 This Court finds defendant KENNETH HUGHES, aka Kenneth Michael Douglas Hughes
20 agreed to the forfeiture of the property set forth in the Plea Agreement and the Forfeiture Allegation of
21 the Criminal Indictment. Indictment, ECF No. 1; Change of Plea, ECF No. 26; Plea Agreement, ECF
22 No. 27.

23 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America
24 has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture
25 Allegation of the Criminal Indictment and the offense to which defendant KENNETH HUGHES, aka
26 Kenneth Michael Douglas Hughes pled guilty.

1 The following asset is subject to forfeiture pursuant to Title 18, United States Code, Section
2 924(d)(1) and Title 28, United States Code, Section 2461(c): Smith & Wesson, .40 caliber
3 semiautomatic pistol, serial number RAY5163, magazine and ammunition (“property”).

4 This Court finds the United States of America is now entitled to, and should, reduce the
5 aforementioned property to the possession of the United States of America.

6 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
7 United States of America should seize the aforementioned property.

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
9 KENNETH HUGHES, aka Kenneth Michael Douglas Hughes in the aforementioned property is
10 forfeited and is vested in the United States of America and shall be safely held by the United States of
11 America until further order of the Court.

12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
13 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
14 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the
15 time under the applicable statute when a petition contesting the forfeiture must be filed, and state the
16 name and contact information for the government attorney to be served with the petition, pursuant to
17 Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

18 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or entity
19 who claims an interest in the aforementioned property must file a petition for a hearing to adjudicate
20 the validity of the petitioner’s alleged interest in the property, which petition shall be signed by the
21 petitioner under penalty of perjury pursuant to Title 21, United States Code, Section 853(n)(3) and
22 Title 28, United States Code, Section 1746, and shall set forth the nature and extent of the petitioner’s
23 right, title, or interest in the forfeited property and any additional facts supporting the petitioner’s
24 petition and the relief sought.

25 ...

26 ...

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed
2 with the Clerk of the Court, Bruce R. Thompson U.S. Courthouse and Federal Building, 400 South
3 Virginia Street, 3rd Floor, Reno, NV 89501.

4 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
5 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
6 following address at the time of filing:

7 Greg Addington
8 Assistant United States Attorney
100 West Liberty Street, Suite 600
9 Reno, NV 89501

10 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
11 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
12 following publication of notice of seizure and intent to administratively forfeit the above-described
13 property.

14 DATED this 22nd day of November, 2013.

15
16
17
18
19
20
21
22
23
24
25
26


LARRY R. HICKS
UNITED STATES DISTRICT JUDGE